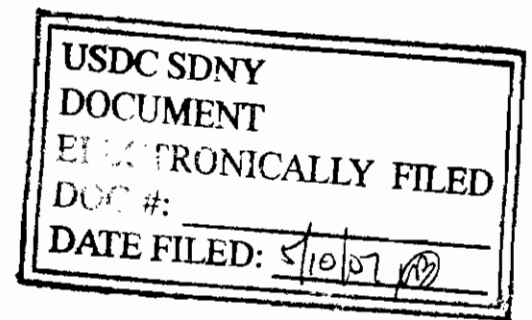


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
DAVID PODHASKIE,

Plaintiff,

-against-

METROPOLITAN TRANSPORTATION
AUTHORITY, METROPOLITAN
TRANSPORTATION AUTHORITY POLICE
DEPARTMENT, CITY OF NEW YORK, NEW YORK
CITY POLICE DEPARTMENT, DETECTIVE
HAYDEE URENA, SHIELD 1001 of the
METROPOLITAN TRANSPORTATION
AUTHORITY POLICE DEPARTMENT and
DETECTIVE JOHN DOE of the METROPOLITAN
TRANSPORTATION AUTHORITY POLICE
DEPARTMENT, the person being the partner of
DETECTIVE URENA,

Defendants
-----X

**STIPULATION OF
DISMISSAL AND
DISCONTINUANCE**

07 CV 409 (SHS)(AJP)

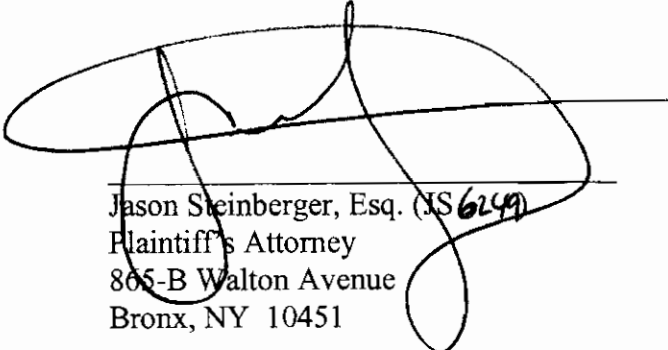
WHEREAS, plaintiff commenced this action by filing a complaint on or about
January 18, 2007, alleging violations of his civil rights pursuant to 42 U.S.C. §1983; and

WHEREAS, defendants' City of New York and the New York City Police
Department have denied any and all liability arising out of plaintiff's allegations;

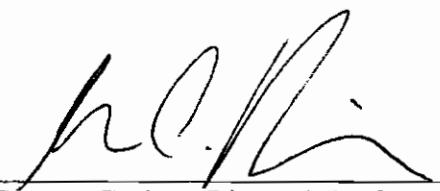
WHEREAS, the parties now desire to resolve the issues raised in this litigation
without further proceedings and without admissions of fault or liability; and

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties herein, that all claims that were asserted or could have been asserted on behalf of David Podhaskie, in the above entitled proceeding are hereby dismissed and discontinued with prejudice as against defendants' City of New York and the New York City Police Department and without attorney's fees or costs to any party.

Dated: New York, New York
April 23, 2007

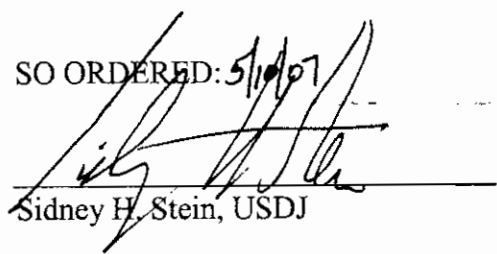


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Assistant Corporation Counsel
MICHAEL A. CARDOZO
Corporation Counsel of
the City of New York
Attorney for Defendants City of New York and
the New York City Police Department
100 Church Street, 3-196
New York, NY 10007

SO ORDERED: 5/10/07



Sidney H. Stein, USDJ